Case 1:05-cv-11808-NMG

Document 1

THE UNITED STATES OF AMERICA

Filed 08/31/2005

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AMOUNT \$ IFP

SUMMONS ISSUED_M/ LOCAL RULE 4.1____

WAIVER FORM _______MCF ISSUED________

BY DPTY. CLK.

THE SUPREME COURT

Docket No:

Petitioner, LENORE A. LAURO

VS.

Respondent, MASSACHUSETTS

05 CV 1 1808 NING MAGISTRATE JUDGE Soroh

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner *pro se*, pursuant to Rule 39 of this Supreme Court, timely moves for leave to proceed *in forma pauperis* to appeal a Massachusetts Supreme Court denial of further appellate review, rescript dated June 9, 2005, of the Appeal's Court affirmation of judgments in the Orleans District Court. An application for reconsideration was denied in the Supreme Judicial Court on July 27, 2005.

Leave to proceed *in forma pauperis* had been granted in the Orleans District Court for a first appeal and counsel was appointed. The determination of indigency was based on the criteria established by the Federal Legal Services Corporation 42 U.S.C. Sec. 2996f (2) (A)&(B); and Section 625 of the Economic Opportunity Act. 42 U.S.C. Sec. 2971 (d): whose income, after taxes, is 125 percent, or less, of the current poverty threshold annually.

In support of this Motion to Proceed on Appeal in Forma Pauperis, and in compliance with 28 U.S.C. Section 1746, is an attached Notarized Affidavit, in the form prescribed by the Federal Rules of Appellate Procedure, Form 4.

Wherefore, Petitioner prays that leave to proceed in forma pauperis be granted.

Lenore A. Lauro, Petitioner pro se

74 Highland Moors Drive Brewster, MA 02631

(508) 896-5457

COMMONWEALTH OF MASSACHUSETTS

APPEALS COURT

03-P-776 (Orleans District Ct. No. 0226CR000511)

COMMONWEALTH

vs.

LENORE A. LAURO

ORDER

It having been made to appear that the notice of the assembly of record and the entry of the appeal in this Court were premature because there are deficiencies in the transcript of the proceeding which has been transmitted to this Court, it is ordered that such notice and entry be, and the same hereby are, vacated; that all papers already transmitted to this Court are to be returned to the clerk of the trial court until the deficiencies in the record have been cured; and that the foregoing orders are without prejudice to the reentry of the appeal in this Court following the issuance of a new notice of the assembly of the record.

By the Court

Assistant Cler

Entered: September 25, 2003

COMMONWEALTH OF MASSACHUSETTS

APPEALS COURT CLERK'S OFFICE

Three Center Plaza, Seventh Floor BOSTON, MASSACHUSETTS 02108 (617) 725-8106

September 13, 2004

Lenore A. Lauro 74 Highland Moors Drive Brewster, MA 02631

RE:

No. 2004-P-0119

COMMONWEALTH

vs.

LENORE A. LAURO

NOTICE OF DOCKET ENTRY

Please take note that, with respect to the MOTION to enlarge reply brief due date until trial court record is settled, filed by Lenore A. Lauro. (Paper #26),

on September 13, 2004, the following order was entered on the docket of the above-referenced case:

-}

RE#26 The motion to extend the reply brief due date is allowed to 10/13/04. Orleans District Court is to transmit an attested copy of its updated docket forthwith. (Perretta, J.) *Notice/attest.

Very truly yours,

The Clerk's Office

Dated: September 13, 2004

To: Julia K. Holler, A.D.A.

Lenore A. Lauro

Orleans District Court

A.P. A. KITKMAN "Opposition to Socket"

in district Court.

September 16, 2004

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Case 1:05-cy-11808-NMG

ORLEANS DISTRICT COURT

(name of Court)

In accordance with Pulse of Appellate Presedure Puls 10, subsection (a) and

In accordance with Rules of Appellate Procedure, Rule 10, subsection (a) and (b), the appealing party must enter the case in the Supreme Judicial Court for the Commonwealth within ten (10) days of receipt of this notice. This notice does not constitute entry in the Supreme Judicial Court for the Commonwealth.

ON (DATE)

COMMINAL DO	ET NO.		ATTORNEY	* ;							
			6CR000511 BAHRAWY, JENS								
COURT DIVISION Orleans	INTE	RPRETER RE	QUIRED		DATE	and JUE)GE		DOCKET E		<u></u>
NAME, ADDRESS AND ZIP CODE O	F DEFENDANT		· · · · · · · · · · · · · · · · · · ·		1 .				torney appointed ity denied and De		
LAURO, LENORE A								□ w	aiver of counsel f		
74 HIGHLAND MOOI								Terms KX	of release set: PR Bail:		٠.
BREWSTER, MA 026	531								Held (276 §58A)		
					3/20	0/02			See back for spec ned and advised:	ial conditions	S
DEFT, DOB AND SEX		· ·			n				ned and advised: Potential of bail re	vocation (27	6 §58)
11/15/1950 F					RULE	5 #/			Right to bail revie Right to drug exar		
03/10/2002		PLACE OF C					·		d of right to jury to		<u></u>
COMPLAINANT			LICE DEPARTMENT (If a	ppliçable)	1/8/	/03	٠.		Does not waive		
BARBER, RICHARD			BREWSTER PD)	-, -,				Waiver of jury trial		
03/11/2002			TE AND TIME 2002 08:30:00						<u>d of trial rights as</u> d of right of appea		
COUNT/OFFENSE		L			FINE	SURFI	NE	COSTS	RESTITUTION		ESSMENT
1. 90/24/J OUILIQ	UOR c90	§24(1)(a			<u>L</u>			<u></u>			WAIVE
DISPOSITION DATE and JUDGE 1/9/03 W	ILLIAMS		SENTENCE OR OT	HER DISPOSITION Is found but continu	ed without qui	Ity finding	until:				
DISPOSITION METHOD	FINDING		Probation 1	/9/04 [Pretrial Prob	ation (276	§87) - ı	ıntil: 24]	D	·	
Guilty Plea or Admission to Sufficient Facts	☐ Not Guil	Ity		sed upon payment		_			45 DAY	LIC. I	OSS
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and 278 §29D warning Bench Trial	☐ Not Res		Filed with Defi		Nolle Proseq			 iminalized (2	7 7 §70C)		
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COUNT/OFFENSE	l				FINE	SURFI	νE	COSTS	RESTITUTION	V/W ASSE	SSMENT
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accepted after colloquy and 278 §29D warning	. ☑ Guilty ☐ Not Res	nonsible	Reques		Failure to pro	•	Othe				
Bench Trial	Respons		Filed with Deft	t's consent	Nolle Proseq	ui [Decri	minalized (27	77 §70C)		
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1/9/03 W	ILLIAMS		Sufficient facts	s found but continu					A TRUE COP	1. t	165
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Rench Trial	Respons	sible	Filed with Deft		Noile Prosequ	i [Decri	ninalized (27	7 §70C)		
☐ Jury Trial ☐ None of the Above	No Probable	able Cause	FINAL DISPOSITION Dismissed on	tecommendation o	f Probation De	pt.		JUDGE		DATE	İ
	☐ Procedure	Cause		ninated: defendant	discharged						
COUNT/OFFENSE					FINE	SURFIN	Ε	COSTS	RESTITUTION	V/W ASSES	SSMENT WAIVED
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Bench Trial	Respons		Filed with Deft's		Noile Prosequ	i	Decrin	ninalized (27	7 §70C)		
☐ Jury Trial ☐ None of the Above	☐ No Proba		FINAL DISPOSITION Dismissed on recommendations	ecommendation of	Probation Dec	ot.		JUDGE		DATE	
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Filed 08/31/2005 Page 6 of 19 POCKET NUMBER: 0226CR000511 NAME: LAURO, LENORE A SCHEDULING HISTORY SCHEDULED DATE SCHEDULED EVENT JUDGE TAPE NO. START STOP NO. RESULT 3/11/02 ARR ☐ Held Cont'd 1 4/8/02 ☐ Held Cont'd 2 PΤ 3/20/02 CASE BROUGHT FORAWRD RAW 4/3/02 PTCont'd CONF. REPORT 3 Held 4 4/23/02 ☐ Held Cont'd M to DI 5 ☐ Cont'd ☐ Held 5/8/02 J 6 5/6/02 M to DI A Held Cont'd PRIMARY RAW 0791 1190 **END** 7 ☐ Held Cont'd 0792 0270 2475 Held Cont'd 8 6/6/02 PT ☐ Held Cont'd BALER 9 7/24/02 J NOT REACHED Held ☑ Cont'd REQ. OF DEFT. 10 10/9/02 J O'NEILL ARR=Arraignment PT=Pretrial hearing CE=Discovery compliance and jury election T=Bench trial J=Jury Trial PC=Probable cause hearing M=Motion hearing SR=Status review SRP=Status review of payments FA=First appearance in jury session S=Sentencing CW=Continuance-without-finding scheduled to terminate P=Probation scheduled to terminate DFTA=Defendant failed to appear and was defaulted WAR=Warrant issued WARD=Default warrant issued WR=Warrant or default warrant recalled PR=Probation revocation hearing OTHER DOCKET ENTRIES **ENTRY DATE** 3/20/02 NOTICE OF APPEARANCE, AND MOTION TO ADVANCE FILED. 4/3/02 PRE TRIAL CONFERENCE REPORT FILED. 4/23/02 MOTION TO DISMISS W/AFFIDAVIT, MOTION TO SUPPRESS, AND MEMORANDUM FILED. 5/7/02 FINDINGS & ORDER ON MOTIONS TO SUPPRESS AND ON MOTION TO DISMISS GIVEN TO D.A., AND SENT TO ATTY BAHRAWY. 7/24/02 MOTION IN LIMINE FILED. 12/3/02 J-BROUGHT FORAWRD BY AGREEMENT. 1/8/03 PROPOSED VOIR DIRE QUESTIONS, AND LIST OF POTENTIAL WITNESSES FILED. VOIR DIRE 02-03-0957-2120---> END// 0958-0000---> END// J-0959-0000 1/8/03 0960--0000---> 1058. ADDITIONAL ASSESSMENTS IMPOSED OR WAIVED DUE DATES and Q WAIVED DATE IMPOSED and JUDGE TYPE OF ASSESSMENT AMOUNT Legal Counsel Fee (211D §2A ¶2) Legal Counsel Contribution (211D §2) Court Costs (280 §6) Drug Analysis Fee (280 §6B) OUI §24D Fee (90 §24D ¶9) 1/9/03 WILLIAMS 250 OUI Head Injury Surfine (90 §24[1][a][1] ¶2) 125 + 50+ 125-1/9/03 WILLIAMS Probation Supervision Fee (276 §87A) XX ADMIN. Default Warrant Assessment Fee (276 §30 §2) Default Warrant Removal Fee (276 §30 ¶1) 24D 567.22

•	DOCKE	
NO.	DATE	DOCKET ENTRIES
:	1/9/03	J 0960 @ 1100> END; 0961 @ 0>2014; 0962 @ 0606> 0788
		0692 @ 1449> 1965. 3/10/03 SRP
	2/3/03	NOTORIZED AND VERIFIED PETITION FOR A WRIT OF HABEUS CORPUS
		JUDGEMENT OF ACQUITAL FILED BY DEFT.
		AFTER SPEAKING W/ASST. CLERK ELDRIDGE PUT ON BEFORE JUDGE WILLIAMS
		ON 2/10/03 (SECOND SESSION) INSTRUCTED DEFT. TO NOTIFY PARTIES.
	2/10/03	AFFIDAVIT FILED.
		DEFT. BEFORE COURT PRO SE TO ARGUE MOTION; WILLIAMS, J
-		0978 @ 0603> 1146.
	2/28/03	DECISION AND ORDER ON DEFENDANT'S "NOTORIZED [sic] AND VERIFIED
		PETITION FOR A WRIT OF HABEUS [sic] CORPUS/JUDGEMENT OF ACQUITTAL
		GIVEN TO THE D.A., AND SENT TO DEFENDANT.
	4/9/03	
	3/17/03	SRP LETTER TO JUDGE WILLIAMS RECEIVED FROM THE DEFENDANT STATES OF THE DEFEND
`.	3/18/03	NOTICE OF APPEAL FILED BY THE DEFENDANT.
	3/21/03	AFFIDAVIT AND NOTICE OF PROTEST FILED BY THE DEFENDANT.
	3/27/03	NOTICE OF APPEAL GIVEN TO ORLEANS D.A., JULIA HOLLER, A.D.A.,
7.000		BREWSTER P.D., AND DENISE SIMONINI, CPCS.
	3/27/03	MOTION TO DISCHARGE COUNSEL AND APPOINT NEW COUNSEL FOR DIRECT
		APPEAL, AFFIDAVIT, MOTION FOR APPOINTMENT OF COUNSEL FOR DIRECT
		APPEAL, MOTION FOR PRODUCTION OF TRANSCRIPTS, MOTION TO BE DECLARED
		INDIGENT, AFFIDAVIT OF INDIGENCY AND REQUEST FOR WAIVER, SUBSTITUTION
		OR STATE PAYMENT OF FEES AND COSTS FILED.
	4/1/03	
	4/4/03	NOTICE OF PROBATION VIOLATION AND HEARING FOR 4/9/03 FILED. ATRUE COPY
	4/9/03	FINANCIAL STATEMENT OF INDIGENCE FILED BY THE DEFENDANT
	4/3/03	VOP HEARING BEFORE JULIAN, J; COUNSEL CONTRIBUTION WAIVED FOR
		TODAY; FURTHER WAIVER DEPENDANT ON FINANCIAL STATEMENT TO BE
TEST:	MW WA-	FILED W/PROBATION; DEFENDANT TO DECIDE BY 5/5/03 WHETHER TO PERFORM

NO.	DATE	DOCKET ENTRIES
	4/9/03	TO PAY, PAYMENTS MIN. \$100/MO TO PROBATION OVER TERM OF PROBATION, DUE
	CONT.	BY 1ST OF MO. 7/8/03 VOP REVIEW FOR COMPLIANCE. 1214 @ 0300
	4/9/03	FINDING OF INDIGENCY/PROGRAM FEE WAIVED, JULIAN, J.
i		AFFIDAVIT OF INDIGENCY PER c261 s27a.
	5/1/03	NOTICE OF ASSIGNMENT OF COUNSEL RECEIVED FROM C.P.C.S.
	5/5/03	ATTY KILKENNY APPOINTED FOR PROBATION HEARING.
		MOTION FOR PRODUCTION OF TRANSCRIPTS ALLOWED. RAW, J.
		MOTION TO DISCHARGE COUNSEL AND APPOINT NEW COUNSEL FOR DIRECT
		APPEAL ALLOWED. RAW, J.
	5/6/03	TAPES SENT TO CATUOGNO COURT REPORTING FOR TRANSCRIPTION.
	5/30/03	TRANSCRIPTS RECEIVED FROM CATUOGNO COURT REPORTING.
	6/4/03	TRANSCRIPTS SENT TO APPEALS COURT, JULIA HOLLER, A.D.A., AND ATTY
		J. DANIEL SILVERMAN.
		TRUE CORY 2 PROPERTY OF THE PR
í		
		ATTEST:

	CONTINUAT	ION LAURO, LENORE A 0226CR000511-
NO.	DATE	DOCKET ENTRIES
	6/10/03	NOTICE OF ENTRY RECEIVED FROM APPEALS COURT ATRUE COP
	7/8/03	VIOLATION OF PROBATION WITHDRAWN, RAW, J.
	9/8/03 9/8/03	DEFENDANT ORDERED 2-TRACK CASSETTE ANA PAID DEPOSIT OF \$50.50 ATTORNEY SILVERMAN ORDERED 4-TRACK CASSETTE, STATED CLIENT BELIEVED
	9/11/03	PIECES OF THE TRANSCRIPT ARE INCOMPLETE MOTION FOR PRODUCTION OF 4-TRACK CASSETTES BY DEFT LAURO
	9/11/03 9/11/03	MOTION TO WAIVE COST FOR TRIAL 4-TRACK CASSETTES BY DEFT LAURO MOTION FOR PRODUCTION FOR 2-TRACK CASETTES BY DEFT LAURO
	9/11/03 9/11/03 9/11/03	MOTION TO WAIVE COST FOR TRIAL 2-TRACK CASSETTES BY DEFT LAURO MOTIONS PRESENTED PRO SE. NO ACTION TAKEN, BALER, J.
`		TAPE 1654@0056-0263
7	9/12/03	LETTER RECEIVED FROM DEFT LAURO REGARDING TAPES & TRANSCRIPTION OF TAPES
	9/19/03	DEFT LAURO CALLED REQUESTING SHE BE ALLOWED TO LISTEN TO MASTER TAPES PER ASST CLERK WELSH DEFT LAURO WAS INFORMED THAT WE WILL ONLY DEAL
		WITH HER ATTY REGARDING THIS CASE, DEFT WAS TOLD THIS BY JUDGE BALER AT THE TIME OF HEARING ON HER MOTIONS, 9/11/03.
	9/19/03 9/25/03	TAPES SENT TO ADM OFFICE TO BE COPIED STEPHANIE SPOKE WITH SAM PILL AT ADM OFFICE REAGRDING TAPES. STATED
		DEFENDANT REQUESTED ADDITIONAL TAPES AND SUGGESTED THAT WE TAKE AN ADDITIONAL DEPOSIT. TAPES WOULD COST IN EXCESS OF \$800.00. AFTER
		SPEAKING WITH ASST CLERK WELSH HE STATED TO HAVE MR. PILL ONLY PROCESS THE TAPE REQUESTS THAT HE HAD IN FRONT OF HIM. ANY ADITIONAL REQUESTS
,	9/25/03	WOULD HAVE TO BE BROUGHT TO THIS COURT WITH PROPER FILING FEE SPOKE TO ATTY SILVERMAN REGARDING DEFT LAUROS REQUEST FOR ADDITIONAL
		COPIES OF TAPES. INFORMED ATTY SILVERMAN THAT WE WERE ONLY PROCESSING THE REQUESTS THAT WE HAD RECEIVED AND ANY ADDITIONAL
	9/20/03	REQUESTS WOULD HAVE TO BE FILED AT THIS COURT WITH THE REQUIRED DEPOSI K.J. CONWAY ORDERED TAPES REGARDING MOTION TO PRODUCE TRANSCRIPTS
	10/02/02	THAT WAS HEARD BEFORE JUDGE BALER ON 9/11/03.
	10/03/03	NOTICE OF DOCKET ENTRY BY APPEALS COURT. ORDER: ASSEMBLY PREMATURE. ENTRY VACATED.
	10/03/03	TRANSCRIPTS RETURNED FROM APPEALS COURT ALONG WITH LETTER FROM POST OFFICE STATING POSSIBLE DAMAGE DURING HANDLING.
	10/06/03	SPOKE TO JOSEPH STANTON CLERK AT APPEALS COURT-ATTY SILVERMAN FILED MOTION TO EXTEND TIME WHICH WAS HEARD AND ALLOWED. MOTION
		SUGGESTED THAT THE TRANSCRIPTS WERE INCOMPLETE WHICH IS WHY THE APPEALS COURT RETURNED TRANSCRIPTS AND ORDERED THAT THE ASSEMBLY
	10/06/03	WAS PREMATURE AND THE ENTRY WAS VACATED. CATUOGNO COURT REPORTING CALLED, HAVE RECEIVED PIECES OF LAURO
	10/08/03	TRANSCRIPTS THAT WERE SEPARATED FROM THE ORIGINAL SHIPMENT. RECEIVED REMAINING TRANSCRIPTS FROM CATUOGNO COURT REPORTING SERVICE
	10/17/03	SPOKE TO ATTY SILVERMAN REGARDING TRANSCRIPTION. INFORMED ATTY SILVERMAN THAT PER MAGISTRATE STEPHEN I. ROSS WE WILL HAVE ANY
		MISSING PORTIONS OF THE TRANSCRIPTS TRANSCRIBED, BUT WE ARE GOING
	10/20/03	TO USE THE SAME TRANSCRIBER, CATUOGNO COURT REPORTING SERVICE. SPOKE TO ATTY SILVERMAN RE: MISSING PORTIONS OF TRANSCRIPTS. ATTY SILVERMAN STATED THE MISSING PORTIONS OF THE TRANSCRIPTS WERE
		FROM OFFICER STORTI'S TESTIMONY AND THE DISPOSITION. PER DEE BOWMAN OFFICE MANAGER WE REQUESTED THAT ATTY SILVERMAN SEND US IN WRITING WHAT
		PORTIONS OF THE TRANSCRIPTS HE BELEIVES ARE MISSING. ATTY SILVERMAN ALSO STATED THAT DEFT LAURO WANTED A SET OF 4-TRACK CASSETTE OF
	10/27/03	THE TRIAL. RECEIVED LETTER FROM ATTY SILVERMAN REGARDING MISSING PORTIONS OF THE TRANSCRIPT. ATTY SILVERMAN IS LOOKING FOR OFFICER STORTI'S TESTIMONY

	Caspo CKEC CONTINUAT	V-11808-N 에센 ^{E OFI} S 한 Eument 1 Filed 08/31/2005 P로 (SET NUMPERS 9226CR000511
NO.	DATE	DOCKET ENTRIES
	11/03/03	LEFT MESSAGE FOR ATTY SILVERMAN REGARDING OFFICE STORTI'S TESTIMONY OFFICER STORTI'S TESTIMONY IS LISTED IN THE TRANSCRIPT.
	11/06/03	ATTY SILVERMAN CALLED, TOLD HIM WHAT OFFICER STORTI'S TESTIMONY IS IN THE TRANSCRIPTS AND TO REFER TO PAGES 204-220 OF TRANSCRIPT DATED
		1-8-03. ATTY SILVERMAN INFORMED ME THAT HE WAS LOOKING FOR OFFICER STORTI'S TESTIMONY FROM 5/6/02 ON THE MOTION TO SUPPRESS HEARING.
		IT WAS REQUESTED THAT HE SEND REQUEST IN WRITING STATING EXACTLY WHAT HE WANTED AND THE SPECIFIC DATES OF TESTIMONY HE WAS LOOKING FOR.
	11/10/03	LETTER RECEIVED FROM ATTY SILVERMAN STATING THE SPECIFIC HE IS LOOKING TO HAVE TRANSCRIBED.
	11/28/03 12/14/03	TAPES SENT TO ADM OFFICE TO BE COPIED TAPES RECEIVED FROM ADMIN OFFICE
	12/15/03 12/16/03	TAPES RECEIVED FROM ADMIN OFFICE. TAPES SENT TO CATUOGNO COURT REPORTING FOR TRANSCRIPTION ASST. CLERK WELSH CALLED ATTY SILVERMAN TO INFORM HIM THAT THE
vec		TESTIMONY OF OFFICER STORTI IS NOT AVAILABLE FROM 5/6/02 THE TAPE WAS BLANK.
	1/26/04 1/27/04	TRANSCRIPTS RECEIVED FROM CATUOGNO COURT REPORTING SERVICES TRANSCRIPTS SENT TO APPEALS COURT, JULIA HOLLER, ADA AND RUE COURT ATTY J. DANIEL SILVERMAN
	3 (00 (0.4	The state of the s
	1/30/04	NOTICE OF DOCKET ENTRY RECEIVED FROM APPEALS COURT DEFTS MOTION FOR TAPES AND NEW TRANSCRIPTION AND CERT OF SERV FILED.
	2/20/04	MOTION TO BE HEARD ON 2/20/04 AT 2:00 PM BY ATTY SILVERMAN. AFFIDAVIT OF DEFT LENGRE LAURO IN SUPPORT OF HER MOTION FOR TAPES
		AND NEW TRANSCRIPTION. LL 02-04-1923-2618 TO 3650
	2/20/04 2/20/04	INTERIM ORDER, re: APPEAL, RAW, J. COPIES TO DA, BREWSTER PD AND
	2/20/04	ATTY SILVERMAN. COUNSEL FOR APPELLANT BE ALLWD TO AUDIT TAPES. ALL TAPES TO BE RETURNED TO THE OCURT ON OR BEFORE FRIDAY FEB 27, 04. COUNSEL HAS
	0 (00 (04	FAILED TO MAKE A SHOWING THAT A NEW TRANSCRIPTION WOULD ADVANCE THE ISSUE OF CLARITY OF THE RECORD IF THE TAPE IS INAUDIBLE.
	2/23/04	CASSETTE COPY ORDER #181979 REC FROM BARBARA REIS FOR HEARING DATE OF 4/9/04, 4-TRACK TAPES ORDERED.
	2/26/04	CASSETTE COPY ORDER #181988 REC FROM BARBARA REIS FOR HEARING DATE OF 5/6/02. 4-TRACK TAPES ORDERED.
	2/27/04	COURT TAPES RETURNED VIA PRIORITY MAIL FROM ATTY SILVERMAN. CASSETTE COPY ORDER #181987 REC FROM BARBARA REIS FOR HEARING DATE OF 2 (20 (24 2 MP) CV MADES OF DEPENDED.
	3/9/04	OF 2/20/04. 2-TRACK TAPES ORDERED. JUDGE ZOLLS OFFICE CALLED REQUESTING COURT TAPES BE SENT TO HIS OFFICE FOR REVIEW. 8 TAPES TOTAL SENT TO JUDGE ZOLL.
	3/22/04	(2 OF THE 3 TAPES REQUEST BY BARBARA REIS SENT TO BOSTON TO BE COPIED) 2 OF THE 3 CASSETTE ORDERS RECEIVED, BARBARA REIS CALLED AND TOLD
		TAPES WERE AVAILABLE FOR HER TO PICK UP. ALSO TOLD HER THIRD REQUEST FOR TAPE WOULD BE PROCESSED AS SOON AS TAPE WAS AVAILABLE.
,	3/23/04 5/3/04	BARBARA REIS SIGNED FOR & PICKED UP TAPES, ORDERS #181979 & #181987. CASSETTE COPY ORDER FORM #181988 MAILED TO SAM PILL, ADMIN OFFICE.
	5/7/04 6/8/04	BARBARA REIS SIGNED FOR & PICKED UP TAPES, ORDER #181988 MOTION TO SETTLE RECORD ON APPEAL FILED BY THE COMMONWEALTH TO BE
	6/14/04	HEARD JUNE 14, 04 @ 9AM. AFFIDAVIT: APPELLANTS RESPONSE TO COMMONWEALTH & DENIAL FOR DUPLICATION OF TRIAL TRANSCRIPT FOR MOTION PROCEEDING TRANSCRIPT
		FOR A STIPULATED RECORD ALONG WITH ATTACHED DOCUMENTS BY DEFENDANT
	6/14/04	LENORE A. LAURO, PRO SE. COURT ORDERS APPELLANT & COMMONWEALTH CONFER TO STIPULATION/APPELLANT TO PRESENT DRAFT REPORT W/I 1 WEEK, RAW, J. 02-04-2142-0547 TO 0978
	,	ATOM COMPANY OF THE C

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	CONTINUA	TION LENORE A. LAURO - 0226CR000511
NO.	DATE	DOCKET ENTRIES
	7/16/04	MOTION FILED BY DA TO SETTLE RECORD ON APPEAL SCHEDULED FOR
	7/19/04	7/22/04 AT 9 AM. DEFTS MOTION TO DISMISS CASE ON APPEAL SCHEDULED FOR 7/22/04/1 AT 9AM, BY DEFT LAURO, PRO SE
	7/22/04	COMMONWEALTHS OPPOSITION TO MOTION TO DISMISS AND PROPOSED STATEMENT OF EVIDENCE
	7/22/04	MEMORANDUM AND ORDER-MOTION TO DISMISS IS DENIED. CLERK TO FORWARD COPY OF MEMO AND ORDER TO CLERK OF APPEALS COURT, RAW, J.
	8/9/04	COPY OF APPEALS COURT MEMO & ORDER RETURNED BY POST OFFICE WITHOUT ANY EXPLANATION SEE ENVELOPE.
	7 8/18/04	(7/28/04 COPY MAILED TO APPEALS COURT) MOTION FOR CLERK OF COURT TO TRANSMIT EXHIBITS TO THE APPELLATE COURT
		AND CERT OF SERV, BY DEFT LAURO, PRO SE
	8/19/04	MOTION HEARD. ORDER-IT IS ORDERED THAT AN UPDATED COPY OF DOCKET ENTRIES BE FORWARDED TO APPEALS COURT. ORDERED THAT PHOTOGRAPHIC
		EXHIBITS SHOWING ROAD BE TRANSMITTED. THE APPELLANTS AFFIDAVIT CONCERNING RECOLLECTION OF TESTIMONY OF BARBARA REIS SHALL BE
		TRANSMITTED TO APPEALS COURT. DEFTS AFFIDAVIT RE: ATTEMPT STIPULATED TESTIMONY OB BARBARA REIS TO BE TRANSMITTED (6/21/04) TO APPEALS
		COURT. DKT ENTRIES SHOULD BE AMENDED TO SHOW APPELLANTS REQUEST FOR CASSETTE COPIES OF TAPES AND DATE OF REQUEST.
	8/19/04 9/2/04	PERMISSION WAS GIVEN TO DEFT TO AUDIT TAPES MOTION: TRIAL COURT TO TRANSMIT CORRECTED, UPDATED CERTIFIED COURT
	9/3/04	CONTINUED AT REQUEST OF COMMONWEALTH FOR 9/16/04, RAW, J.
ļ	9/3/04	AMENDED MOTION BY DEFT LENORE A. LAURO
	9/3/04	DEFT LAURO ORDERED TAPES #181828 -DATE OF RECORDING WANTED 7/2/04
	9/7/04	ORIGINAL COURT TAPES RECEIVED BACK FROM ADMINISTRATION OFFICE
	9/8/04	DEFT LAURO NOTIFIED THAT TAPES ARE IN ORLEANS, SHE WILL BE IN 9/9/04 TO LISTEN TO THEM.
	9/13/04	COMMONWEALTHS OPPOSITION TO DEFTS MOTION: TRIAL COURT TO TRANSMIT COURT DOCKET. SCHEDULED FOR HEARING 9/16/04
	9/15/04	DUPLICATE OF ABOVE ENTRY
·	9/15/04	NOTICE OF DOCKET ENTRY RECEIVED FROM APPEALS COURT.
		ORLEANS DISTRICT COURT IS TO TRANSMIT AN ATTESTED COPY OF ITS UPDATED DOCKET FORTHWITH.
	9/15/04	CERTIFICATE OF SERVICE BY DEF TO ADA J. THOMAS KIRKMAN AND TO JULIA
		HOLLER, ADA APPELLANT'S MOTION FOR ENTRIES AND CORRECTIONS FOR
		UPDATED ATTESTED COURT DOCKET FOR APPELLATE COURT.
	9/15/04	RECEIVED CASSETTE TAPE ORDER #181828 FROM ADM OFFICE
	9/16/04	MOTION FOR ENTRIES & CORRECTIONS NECESSARY FOR UPDATED ATTESTED
	0 /01 /04	COURT DOCKET FOR APPELLATE COURT-REPORTED MOOT, RAW, J.
	9/21/04	MOTION FOR AFFIDAVITS TRANSMITTED TO APPEALS COURT FOR A HEARING
		BEFORE JUDGE WELSH ON 9/29/04 AT 9AM ALONG WITH A LIST OF DOCKET ENTRIES THAT NEED CORRECTION, SUBMITTED BY DEFT LAURO, PRO SE
	9/28/04	record reassembled with updated entries, need to add cassette copy
	-,, 0 4	requests and dates as well as results of 9/29/04 motion
	9/29/04	SEPARATE DOCKET SHEET ADDED WITH CASSETTE COPY INFORMATION.
	9/29/04	ORDER-DEFT MOTION TO CORRECT DOCKET ENTRIES DENIED. APPELLANT ADVISED
		TO REQUEST ATTY SILVERMAN FILE NOTICE OF WITHDRAWAL OF APPEAR.
		UPDATED DOCKET ENTRIES TO BE FORWARDED IN ACCORDANCE WITH ORDER OF SINGLE JUSTICE. PARTIES NOTIFED BY US MAIL
	9/29/04	TAPE #02-04 2309 1993 TO 2186
	9/29/04	UPDATED CERT DKT, LIST OF CASSETTE COPY REQUESTS, COPY OF AFFIDAVIT:
		RECOLLECTION OF WITNESS & PHOTOGRAPHIC EXHIBITS SHOWING ROAD SENT
		TO APPEALS COURT. COPIES TO ALL PARTIES VIA US MAIL.
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DC-CR 14 (12/89)

	CONTINUA	FV-11808-N MAGE OF DOSEUMENT 1 Filed 08/31/2005 PROGRETIZATION 0226CR000511
NO.	DATE	CASSETTE REQUESTS DOCKET ENTRIES
7	9/29/04	CASSETTE COPY ORDER FORM #167000 REQUESTED BY LENORE LAURO FOR RECORDINGS ON 5/6/02 & 1/8/03 REQUESTED ON 1/30/03
	9/29/04	CASSETTE COPY ORDER FORM #181910 REQUESTED BY LENORE LAURO
	9/29/04	FOR RECORDINGS ON 2/10/03 REQUESTED ON 3/18/03 CASSETTE COPY ORDER FORM #181947 REQUESTED BY LENORE LAURO
_	9/29/04	FOR RECORDINGS ON 5/6/02,1/8/03,1/9/03 & 2/10/03 REQUESTED ON 9/8/03 CASSETTE COPY ORDER FORM #181948 REQUESTED BY ATTY J. DANIEL SILVERN
	9/29/04	FOR RECORDINGS ON 5/6/02 & 1/9/03 REQUESTED ON 9/8/03 CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE COPY ORDER FORM #181952 REQUESTED BY LENORE LAURO CASSETTE CO
	9/29/04	FOR RECORDING ON 2/10/03 REQUESTED ON 9/11/03 (NO ACTION TAKEN, BALI
	9/29/04	FOR RECORDING ON 9/11/03 REQUESTED ON 9/30/04 CASSETTE COPY ORDER FORM #181966 REQUESTED BY ATTY S. DANIEL SILVERY
	9/29/04	FOR RECORDING ON 1/9/03 REQUESTED ON 11/28/03 CASSETTE COPY ORDER FORM #181987 REQUESTED BY BARBARA REIS FOR RECORDING ON 2/20/04 REQUESTED ON 2/27/04
	9/29/04	CASSETTE COPY ORDER FOR #181979 REQUESTED BY BARBARA REIS
	9/29/04	FOR RECORDING ON 4/9/03 REQUESTED ON 2/23/04 CASSETTE COPY ORDER FORM #181988 REQUESTED BY BARBARA REIS FOR RECORDING ON 5/6/02 REQUESTED BY BARBARA REIS 2/26/04
	9/29/04	CASSETTE COPY ORDER FORM #181828 REQUESTED BY LENORE LAURO FOR RECORDING ON 7/22/04 REQUESTED ON 9/3/04
		FRUE COP
		ALTERNATION X
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FORGERY BY TRI-STATE COURT REPORTING SERVICE

STATEMENT PAGES FROM RAYMOND F. CATUOGNO, REGISTERED

PROFESSIONAL COURT REPORTER WHO ALLEGEDLY TRANSCRIBED THE

APPELLANT'S TRIAL COURT PROCEEDINGS, AND "HIS SIGNATURE."

Four of the pages (22, 81, 152, 250) bear the date 5/29/03. These signatures are all the same: same capital R, same dramatically looped O, same extremely rounded letters. All four have the same right slash to separate the date numbers. The line-spacing between the hand-written date and the transcriber's signature drops two spaces between the typed date and typed name Raymond F. Catuogno.

One page (20) bears the date 1-20-04. This signature is remarkably dissimilar from the other three, and came from the reporting company after this Court had vacated the case and ordered the transcripts cured; samples above, before.

Note the capital R slant, how the loop on the lower case "d" in Raymond leans to the left; the Capital C taps the head of the lower case "a" with a continuous flow. This is obviously a different person signing and certifying the accuracy of the Appellant's transcripts. Note the dashes separating the date numbers, not the consistent use of front slashed seen above. The line spacing between the written and signed name and date, is single spaced, not double as seen above. This suggests someone scanned the Certificate of Accuracy form for the purpose of forgery.

I, RAYMOND F. CATUOGNO, Registered Professional Reporter, do hereby certify that the foregoing testimony prepared from designated portions of cassettes furnished by the parties herein, is true and accurate to the best of my knowledge and belief.

Date

Raymond F. Catuogno

I, RAYMOND F. CATUOGNO, Registered Professional Reporter, do hereby certify that the foregoing testimony prepared from designated portions of cassettes furnished by the parties herein, is true and accurate to the best of my knowledge and belief.

Date

Raymond F. Catuogno

I, RAYMOND F. CATUOGNO, Registered Professional Reporter, do hereby certify that the foregoing testimony prepared from designated portions of cassettes furnished by the parties herein, is true and accurate to the best of my knowledge and belief.

129/03

Date

Raymond F. Catuogno

I, RAYMOND F. CATUOGNO, Registered Professional Reporter, do hereby certify that the foregoing testimony prepared from designated portions of cassettes furnished by the parties herein, is true and accurate to the best of my knowledge and belief.

5/29/03

Date

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Raymond F. Catuogno

CATUOGNO COURT REPORTING SERVICES

I, RAYMOND F. CATUOGNO, Registered Professional Reporter, do hereby certify that the foregoing testimony prepared from designated portions of cassettes furnished by the parties herein, is true and accurate to the best of my knowledge and belief.

1-20-04 Date

CATUOGNO COURT REPORTING SERVICES